

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

GREGORY E. KUCERA,

Plaintiff,

v.

No. 1:19-cv-01028-KG-KK

UNITED STATES OF AMERICA,

Defendant.

ORDER IMPOSING ADDITIONAL FILING RESTRICTIONS

THIS MATTER comes before the Court on Plaintiff's failure to show cause why the Court should not impose additional filing restrictions.

The Court has previously imposed filing restrictions on Plaintiff stating: "Plaintiff also will be enjoined from initiating further litigation in this Court unless either a licensed attorney who is admitted to practice before this Court signs the pleading or Plaintiff first obtains permission to proceed *pro se*." Doc. 6 at 2, filed May 21, 2018, in *Kucera v. Lawrence Livermore National Laboratories*, No. 1:18-cv-00250-WJ-LF (D.N.M.) (describing steps Plaintiff must take to obtain permission to proceed *pro se* in this Court).

This is the second case that Plaintiff has filed after the Court imposed filing restrictions. Plaintiff has not complied with the filing restrictions in either case. *See* Doc. 5, filed October 8, 2019, in *Kucera v. Department of Justice*, No. 1:19-cv-00931-MV-JFR (D.N.M.) (reminding Plaintiff that the Court had previously imposed filing restrictions).

The Court notified Plaintiff of proposed additional filing restrictions and ordered Plaintiff to show cause, by November 22, 2019, why the Court should not impose the proposed additional filing restrictions. *See* Doc. 7, filed November 8, 2019.

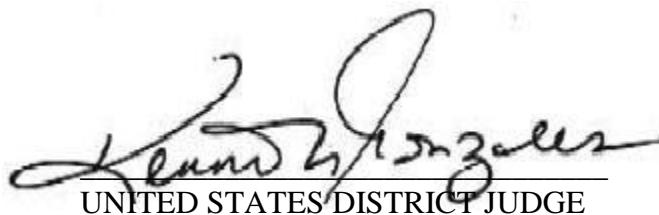
Plaintiff subsequently paid the filing fee for this case and filed several documents, none of which showed cause why the Court should not impose the proposed additional filing restrictions. The Court then imposed the additional filing restrictions that Plaintiff may not commence any civil actions without prepayment of fees and the Clerk of the Court shall not accept any documents initiating a new case unless Plaintiff prepays the filing fee.

Plaintiff subsequently filed eight documents in an attempt to continue to litigate this case after the case has been dismissed. The Court proposed to impose yet additional filing restrictions on Plaintiff so that the Court does not expend valuable resources addressing meritless motions, and ordered Plaintiff to show cause why the Court should not enter the proposed additional filing restrictions. *See* Order Imposing Additional Filing Restrictions and to Show Cause, Doc. 18, filed December 11, 2019. Plaintiff did not file a response to the December 11, 2019, Order to Show Cause by the December 27, 2019, deadline.

The Court now imposes the following filing restrictions.

Plaintiff will be enjoined from making further filings in this case except objections to this order, a notice of appeal and a motion for leave to proceed on appeal *in forma pauperis*; and the Clerk will be directed to return without filing any additional submissions by Plaintiff in this case other than objections to this order, a notice of appeal, or a motion for leave to proceed on appeal *in forma pauperis*.

IT IS SO ORDERED.

  
UNITED STATES DISTRICT JUDGE